

VETERANS' ASSISTANCE REGISTRY

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: Tim M. Cosgrove

LONG TITLE

General Description:

This bill creates a registry process at the Utah Department of Veterans' and Military Affairs that provides contact information to donors of materials and labor for veterans and their dependents.

Highlighted Provisions:

This bill:

- ▶ directs the department to develop a donor and recipient registry;
- ▶ involves the Veterans' Advisory Council in determining qualifications for participation in the registry and for providing information to donors and recipients;
- ▶ limits who may see donors' and recipients' information;
- ▶ requires the registry to be listed on the department's website;
- ▶ provides immunity for use of the registry;
- ▶ requires data tracking of registry donors and recipients, and summary data to be included in the department's annual report; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

71-8-3, as last amended by Laws of Utah 2013, Chapters 214 and 308

30 71-8-4, as last amended by Laws of Utah 2013, Chapter 214

31 ENACTS:

32 71-12-101, Utah Code Annotated 1953

33 71-12-102, Utah Code Annotated 1953

34 71-12-103, Utah Code Annotated 1953

35 71-12-104, Utah Code Annotated 1953



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section 71-8-3 is amended to read:

39 **71-8-3. Duties of executive director -- Services to veterans.**

40 The executive director shall:

41 (1) be responsible for the administration and the operation or support of the following
42 veteran-related operations:

- 43 (a) Utah State Veterans' Nursing Homes and Programs;
- 44 (b) Utah State Veterans' Cemetery and Memorial Park;
- 45 (c) Title 71, Chapter 10, Veteran's Preference;
- 46 (d) any locally or federally funded programs for homeless veterans within the state; and
- 47 (e) any federally funded education services for veterans within the state;

48 (2) maintain liaison with local, state, and federal veterans' agencies and with Utah
49 veterans' organizations;

50 (3) provide current information so that veterans, their surviving spouses and family
51 members, and Utah veterans' organizations will be aware of benefits to which they are, or may
52 become, entitled;

53 (4) reach out and assist veterans and their families in applying for benefits and
54 services;

55 (5) develop and maintain a system for determining how many veterans are employed
56 by the various government entities within the state and keeping track of them;

57 (6) cooperate with other state entities in the receipt of information to create and

58 maintain a record of veterans in Utah;

59 (7) create and administer a veterans' assistance registry, with recommendations from
60 the council, that will provide contact information to the qualified donors of materials and labor
61 for certain qualified recipients;

62 [~~7~~] (8) prepare an annual report for presentation not later than November 30 of each
63 year to the Government Operations Interim Committee ~~[on]~~, which includes:

64 (a) all services provided to veterans; ~~and~~

65 (b) all services provided by third parties through the Veterans' Assistance Registry; and

66 [~~b~~] (c) the coordination of veterans' services by government entities with the
67 department;

68 [~~8~~] (9) advise the governor on matters pertaining to military affairs throughout Utah,
69 including active duty servicemembers, reserve duty servicemembers, and veterans;

70 [~~9~~] (10) identify military-related issues, challenges, and opportunities, and develop
71 plans for addressing them;

72 [~~10~~] (11) develop, coordinate, and maintain relationships with military leaders of
73 Utah military installations, including the Utah National Guard;

74 [~~11~~] (12) develop, coordinate, and maintain relationships with Utah's congressional
75 delegation and military staffers;

76 [~~12~~] (13) develop and maintain relationships with military-related organizations in
77 Utah;

78 [~~13~~] (14) conduct forums and meetings with stakeholders to identify military issues
79 and challenges and to develop solutions to them; and

80 [~~14~~] (15) perform other related duties as requested by the governor.

81 Section 2. Section 71-8-4 is amended to read:

82 **71-8-4. Veterans' Advisory Council -- Membership -- Duties and responsibilities**
83 **-- Per diem and travel expenses.**

84 (1) There is created a Veterans' Advisory Council whose purpose is to advise the
85 executive director of the Department of Veterans' and Military Affairs on issues relating to

86 veterans.

87 (2) The council shall consist of the following 14 members:

88 (a) 11 voting members to serve four-year terms:

89 (i) seven veterans at large appointed by the governor;

90 (ii) the commander or the commander's designee, whose terms shall last for as long as
91 they hold that office, from each of the following organizations:

92 (A) Veterans of Foreign Wars;

93 (B) American Legion; and

94 (C) Disabled American Veterans; and

95 (iii) a representative from the Office of the Governor; and

96 (b) three nonvoting members:

97 (i) the executive director of the Department of Veterans' and Military Affairs;

98 (ii) the director of the VA Health Care System or his designee; and

99 (iii) the director of the VA Benefits Administration Regional Office in Salt Lake City,
100 or his designee.

101 (3) (a) Except as required by Subsection (3)(b), as terms of current council members
102 expire, the governor shall appoint each new or reappointed member to a four-year term
103 commencing on July 1.

104 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the
105 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
106 council members are staggered so that approximately half of the members appointed by the
107 governor are appointed every two years.

108 (4) When a vacancy occurs in the membership for any reason, the governor shall
109 appoint a replacement for the unexpired term within 60 days of receiving notice.

110 (5) Members appointed by the governor may not serve more than three consecutive
111 terms.

112 (6) (a) Any veterans' group or veteran may provide the executive director with a list of
113 recommendations for members on the council.

114 (b) The executive director shall provide the governor with the list of recommendations
115 for members to be appointed to the council.

116 (c) The governor shall make final appointments to the council by June 30 of any year in
117 which appointments are to be made under this chapter.

118 (7) The council shall elect a chair and vice chair from among the council members
119 every two years. The chair and vice chair shall be veterans.

120 (8) (a) The council shall meet at least once every quarter.

121 (b) The executive director of the Department of Veterans' and Military Affairs may
122 convene additional meetings, as necessary.

123 (9) The department shall provide staff to the council.

124 (10) Six voting members are a quorum for the transaction of business.

125 (11) The council shall:

126 (a) solicit input concerning veterans issues from veterans' groups throughout the state;

127 (b) report issues received to the executive director of the Department of Veterans' and
128 Military Affairs and make recommendations concerning them;

129 (c) keep abreast of federal developments that affect veterans locally and advise the
130 executive director of them; ~~and~~

131 (d) approve, by a majority vote, the use of money generated from veterans' license
132 plates under Section 41-1a-422 for veterans' programs~~[-];~~ and

133 (e) assist the director in developing guidelines and qualifications for:

134 (i) participation by donors and recipients in the Veterans' Assistance Registry created
135 in Section 71-12-101; and

136 (ii) developing a process for providing contact information between qualified donors
137 and recipients.

138 (12) A member may not receive compensation or benefits for the member's service, but
139 may receive per diem and travel expenses in accordance with:

140 (a) Section 63A-3-106;

141 (b) Section 63A-3-107; and

142 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
143 63A-3-107.

144 Section 3. Section 71-12-101 is enacted to read:

145 **CHAPTER 12. VETERANS' ASSISTANCE REGISTRY**

146 **71-12-101. Title.**

147 This chapter is known as the "Veterans' Assistance Registry."

148 Section 4. Section 71-12-102 is enacted to read:

149 **71-12-102. Definitions.**

150 As used in this chapter:

151 (1) "Council" means the Veterans' Advisory Council as created in Section 71-8-4.

152 (2) "Department" means the Department of Veterans' and Military Affairs as created in
153 Section 71-8-2.

154 (3) "Donor" means an individual or entity that provides material goods, services, or
155 labor without charge to veterans in accordance with this chapter.

156 (4) "Recipient" means a veteran as defined in Section 71-8-1, or a veteran's dependent
157 spouse and children.

158 Section 5. Section 71-12-103 is enacted to read:

159 **71-12-103. Veterans' Assistance Registry.**

160 (1) There is created within the department a Veterans' Assistance Registry.

161 (2) The intent of the registry is to provide contact information to qualified donors of
162 material goods, services, and labor for qualified recipients in need of specific goods, services,
163 or labor.

164 (3) The department shall, in consultation with the council:

165 (a) create a database of donors and recipients;

166 (b) develop an electronic link on the department's website to the database of donors
167 and recipients;

168 (c) insure that information provided by donors and recipients is only used for the
169 intended purpose as specified in Subsection (2) and not made public;

170 (d) provide instructions online for donors and recipients to use in registering for the
171 registry;

172 (e) publicize through both local and nationwide veterans' service organizations and the
173 United States Veterans' Administration the availability of the registry; and

174 (f) track usage of and report annually on the registry program in accordance with
175 Section 71-8-3.

176 Section 6. Section **71-12-104** is enacted to read:

177 **71-12-104. Immunity for use of registry.**

178 A donor who provides material goods, services, or labor for registry recipients is
179 considered to be acting on behalf of the department in accordance with the provisions of Title

180 63G, Chapter 8, Part 2, Immunity for Voluntary Services.